

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PAUL SALADINO, MD,

Plaintiff,

- against -

FRANK TUFANO and FRANKIE'S FREE-RANGE  
MEAT, LLC,

Defendants.  
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Nelson S. Román, D.J.:

Presently, the instant action has been submitted to the Magistrate Judge C. McCarthy on the measure of damages following both Defendants' defaulting. Defendants' remedy is to move to vacate the default, which they have failed to do. Instead, the individual Defendant Frank Tufano submits a document delineated as a motion to dismiss in which he attaches no affidavit in support of his motion. Additionally, the movant provides no legal basis which would warrant vacating the default. Accordingly, the motion to dismiss is denied without prejudice, and the Clerk of Court is kindly directed to terminate the motion at ECF No. 67

Lastly, the Clerk of Court is kindly directed to mail a copy of this Order to Defendant Tufano at: Frank Tufano, 25 Dundaff St., Carbondale, PA 18407.

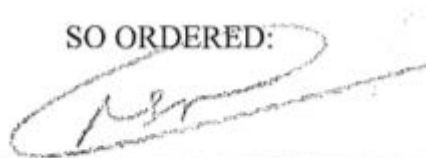
Dated: White Plains, New York  
July 28, 2025

USDC SDNY  
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ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 7/28/2025

**ORDER**

20 Civ. 9346 (NSR)

SO ORDERED:

  
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NELSON S. ROMÁN  
United States District Judge